

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PATRICK NAM,

Plaintiff,

v.

Case No. 1:22-cv-04690-AKH

BAGATELLE INTERNATIONAL (USA)
INC., d/b/a AVEC LES FILLES,

Defendant.

DEFAULT JUDGMENT

WHEREAS, this matter came before the Court on plaintiff Patrick Nam (“Plaintiff”)’s application for entry of a default judgment against Defendant Bagatelle International (USA) Inc., d/b/a Avec Les Filles (“*Defendant*” or “*Bagatelle*”) under Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2.

WHEREAS, Plaintiff filed his application for entry of default judgment seeking \$90,000.00 in statutory damages for copyright infringement, \$10,360.00 in attorneys’ fees, and \$481.00 in costs plus interest.

WHEREAS, Defendant has not filed any opposition to Plaintiff’s application for default judgment.

THEREFORE, IT IS ADJUDGED AND ORDERED that Plaintiff’s application for entry of default judgment is GRANTED pursuant to Fed.R.Civ.P. 55(b)(2); it is

FURTHER ORDERED that the Court declares that Defendant violated Plaintiff’s exclusive rights under 17 U.S.C. § 106 of the Copyright Act by engaging in unauthorized copying of Plaintiff’s registered work; it is

FURTHER ORDERED that Defendant shall pay \$40,000.00 in statutory damages under 17 U.S.C. § 504(c); it is

FURTHER ORDERED that Defendant shall pay \$10,360.00 in attorneys' fees and \$481.00 in costs pursuant to 17 U.S.C. § 505 and Fed.R.Civ.P 54(d); it is

FURTHER ORDERED that pursuant to 17 U.S.C. § 502(a) Defendant is hereby enjoined from continuing to store and display Plaintiff's photograph as is set forth in the Complaint

FURTHER ORDERED, that Defendant shall post-judgment interest under 28 U.S.C.A. § 1961; it is

FURTHER ORDERED that this Court retains jurisdiction over any matter pertaining to this judgment; and it is

FURTHER ORDERED that this case is dismissed and the Clerk of the Court shall remove it from the docket of the Court.

This is a final appealable order. *See* FED. R. APP. P. 4(a).

Dated: December 14, 2022

SO ORDERED.



Alvin K. Hellerstein
United States District Judge